

Sept. 25, 2021

Nottingham Zoning Board
Attn: Bonnie Winona MacKinnon, Chairwoman
139 Stage Road
Nottingham, NH 03290

REC'D
9/27/21
LPS

RE: Variance Application
59 Shore Drive, Nottingham, NH
Tax Map 68, Lot 37

Dear Ms. MacKinnon,

Carol and Mitchell Hale respectfully submit a Variance Application for the parcel referenced above. Our intent is to construct a more energy efficient replacement home with a walk out basement type foundation.

As noted by the Nottingham Building Inspector on his rejection letter, the replacement home project has an approved Shore Land permit from the state, and meets all other set back requirements. This project also includes replacement of the septic system, which was approved by the Zoning Board in July of this year (Case 21-009-VA).

The following documents are provided in support of this application.

1. Variance Application (with a description of the proposed)
2. Abutters list and 3 copies of mailing labels.
3. Zoning Board Approval Document - Case 21-009-VA
4. Shoreland Impact Permit 2021-00995
5. NHDES septic approval CA2021081617
6. Nottingham septic approval 2021000320
7. Six (6) copies of the plans (11'x17')
8. Tax Map
9. Current Deed
10. Fee check

Thank you very much for your consideration. If you have any questions please give me a call anytime.

Sincerely,



Mitchell Hale, and Carol Hale

Mailing address:
34 Lisa Beth Circle,
Dover, NH

Phone # 603-767-0466



TOWN OF NOTTINGHAM

139 Stage Road, P.O. Box 114, Nottingham, NH 03290

www.nottingham-nh.gov

Planning & Zoning plan.zone@nottingham-nh.gov

Tel (603) 734-4881 Fax (603) 679-1013

APPLICATION FOR A VARIANCE

FOR OFFICE USE ONLY

Case No. _____
Date Filed _____
Meeting Date _____
Fee Amount _____
Date Paid _____
Outcome _____

To: Zoning Board of Adjustment
Town of Nottingham

Name of Applicant Mitchell and Carol Hale

Mailing Address 34 Lisa Beth Circle, Dover, NH 03820

Home Phone 603-747-0466 Work Phone _____ Cell 603-747-0466

Name of Owner(s) Same
(if same as applicant, write "same")

Owner's Address Same
(if same as applicant, write "same")

PROPERTY INFORMATION

Location of property 59 Shore Dr. Nottingham, NH Tax Map 68 Lot 37

Lot Dimensions: Front 60.1' Rear 100' +/- Side 180.1' Side 180.6'

Lot Area: Acres 0.28 Square Feet 12,370

Present Use of Property Single family home

Proposed Use of Property Single family home

NOTE: This application is not acceptable unless all statements following have been completed. Additional information may be supplied on a separate sheet if needed.

VARIANCE REQUEST

A variance is requested from Article Article II: _____ Section (C)(2)(b) _____ of the zoning ordinance to permit:

The construction of a replacement 3 BR home on a lot with road frontage of less than 200". There has been a 3 BR house on this property since the 1950s. The overwhelming majority of homes on the Shore Drive would not meet the standard of having 200' of road frontage. Neither of the 0' abutting lots meet this requirement.

The project will include the demolition of the current 28'x28' single floor above grade home with a crawl space under, and then construction of a replacement home (28'x34') with 2 floors above grade and a walkout partially finished basement. The new deck will be in a reduced footprint of the deck that is currently on the existing home.

The project will also include a new, previously approved septic (replacing a cesspool), and landscaping to better protect the property/environment from erosion.

SUPPORTING INFORMATION

1. Granting the variance would not be contrary to the public interest because: Granting of this variance will allow construction of a more energy efficient 3 bedroom home, which will replace the existing 3 bd. home, and will include the replacement of the septic system approved by the zoning board in July of this year.

2. If the Variance were granted, the spirit of the ordinance would be observed because: Granting of the variance will not negatively impact abutting properties.

Both of the abutting properties on the water side of Shore Dr. also have less than 200' of frontage, as do the majority of properties on the lake.

3. Granting the variance would do substantial justice because: The existing lot has restrictions due to its size that can not be overcome to meet the 200' road frontage

requirement. This requirement is new to the residents of this road since the road became a town road in June of this year. The intent of the requirement was not meant to apply to existing lots.

4. If the variance is granted, the values of the surrounding properties would not be diminished because:

The project will improve the value of this property, and its positioning and size do not have a negative impact on the value of abutting properties. Abutting home owners views of the lake will not be impacted.

5. Unnecessary Hardship

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because: The zoning ordinance for road frontage was not intended to impact already existing properties. Enforcement

of this ordinance would not allow replacement of a substantially outdated house, and would not benefit the town or my abutters in any way.

-AND-

ii. The proposed use is a reasonable one because:

The proposed use is to build a replacement home no closer to the water, or to abutting properties on either side. This to be done on an existing lot, that can not meet the zoning ordinance due to the size of the already existing house lot.

- B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The proposed location of the replacement home is nearly the same as the existing home, with only a small expansion of 6'x28' which will meet setback requirements, and the addition of a second floor and basement.

Failure to grant this request will not allow for the property owner to make resonable and necessary improvements to the property without substantially

compromising the future value of the home, or incurring unresonable cost to substantially upgrade the existing

outdated home.

I hereby certify that I am the owner in fee or the authorized agent of the owner in fee of the property upon which this variance is sought and that all information provided by me is true under penalty of

law

Mitchell Hale

Carol Hale

Signature of Owner or Authorized Agent

9-27-2021

Date

Please Print Name

Mitchell Hale
Carol Hale

The Nottingham Zoning Board strongly recommends that, before making any appeal, you become familiar with the zoning ordinance, and also with the New Hampshire Statutes TITLE LXIV, RSA Chapters 672- 677, covering planning and zoning.

New Hampshire Law

New Hampshire law no longer distinguishes between a "use" or "area" variance. New Hampshire law requires the existence of unnecessary hardship for the granting of any variance, whether that is for a use not allowed in a particular zone or a deviation from a dimensional requirement.

APPLICATION PROCEDURE FOR ZONING BOARD OF ADJUSTMENT HEARING

Clarification of the Zoning Ordinance and assistance in completing the application process can be obtained from the Secretary of the Zoning Board. Legal assistance should be obtained from the Applicant's personal attorney.

Correctness of information submitted is the responsibility of the Applicant.

The following must be filed with the application:

- ✓ Application fee, public notice fee, and abutter notification fee.
- ✓ An abutters list and three (3) sets of abutter mailing labels. Abutter mailing labels must include the names and legal addresses of applicant, property owner, all property owners abutting the subject parcel, including those directly across the street or stream, and anyone whose professional seal appears on the plan. Tax Map No. and Lot No. must also appear on the list for the abutting properties. **Important:** Applicant shall certify that the abutters are as indicated in the Town of Nottingham's Selectmen's Office not more than 5 days prior to day of filing the application with the Zoning Board. (SEE FORM A).
- ✓ Six (6) sets of 11"X17" plans drawn to scale which show lot location, lot size, setbacks, locations and dimensions of all structures and open spaces on the lot in question and on the adjacent lots, and ownership of adjoining lots of land. Plans do not have to be professionally drawn.
- ✓ A written description of work proposed and any dimensions pertinent to construction.
- ✓ A signed Authorization To Enter Upon Said Property form. (SEE FORM B)
- ✓ If the applicant is not the owner, a notarized Owner's Authorization for Representation form must be submitted. (SEE FORM C).

No application shall be accepted for processing until **all** of the required information is received.

HEARING NOTIFICATION & PROCESS

Your hearing will be held within 30 days after submission of a complete application. You will be notified by certified mail as to time, place, and date of the public hearing. At the time of the hearing, you must present your case to the Board or must authorize a representative to appear for you. (FORM C).

RULES OF PROCEDURE FOR CONDUCT OF MEETINGS

Each applicant is entitled to a hearing by a five-member Board. If, for any reason, five members are not available, the applicant(s) may elect to postpone the hearing and decision until the next meeting of the Board at which five members are present. For the benefit of those in attendance at public hearings, the Chairman will briefly explain the procedure before the hearings begin and introduce the members of the Board. The public hearing will begin with the applicant(s) and/or his/her representative presenting the petition. Then those wishing to speak in favor of the petition may do so, followed by those wishing to speak in opposition to the petition. After this, the applicant(s) and those in favor may speak in rebuttal, followed by the rebuttal of those in opposition. The debate may be closed when the Chairman deems it appropriate. All comments must be addressed to the Chair. Anyone rising to address the Chair should identify him/herself, giving his/her name and address. No one will be allowed to speak twice until all who wish to speak have been heard. Reasons will be given for all decisions of the Board and references made to the appropriate sections of the Zoning Ordinance. In the event the Board wishes to postpone making a decision, the applicant(s) will be so advised. All decisions will be announced by the Chair at the time they are made, and formal written notification will be mailed to the applicant(s) within 5 business days after the decision is rendered. In the event no one is available to present a petition to the Board at the public hearing, the petition will be automatically dismissed on the grounds that no public hearing has been held. A petition may be withdrawn by the applicant(s) by notifying the Clerk of the Board of this intention. All public hearings and Board deliberations are transcribed.

Town of Nottingham
P.O. Box 114
139 Stage Road
Nottingham NH 03290



Office 603-734-4881
Fax 603-679-1013
plan.zone@nottingham-nh.gov
www.nottingham-nh.gov

AUTHORIZATION TO ENTER UPON SUBJECT PROPERTY

The property owner(s), by the filing of this application, hereby give permission for the members of the Nottingham Planning Board and such agents or employees of the Town as the Nottingham Planning Board may authorize, to enter upon the property which is the subject of this application at any reasonable time for the purpose of such examinations, surveys, tests and/or inspections as may be appropriate to enable this application to be processed.

I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application. This authorization expires in one year from date of signature

Property Owner(s) Mitchell Hale 9/27/21 Carol Hale 9-27-21
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

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ABUTTER(S) LIST

****PLEASE PRINT THREE (3) ADDRESS LABELS PER ABUTTER- INCLUDING THE APPLICANT, OWNER AND PROFESSIONAL(S)****

1. APPLICANT INFORMATION:

Printed Name: Mitchell and Carol Hale Contact Telephone: 603-767-0466
Address: 34 Lisa Beth Circle, Dover, NH, 03280

2. OWNER INFORMATION:

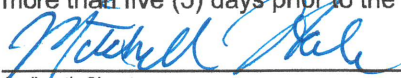
Printed Name: same as applicant
Address: _____

3. PROFESSIONAL(S) INFORMATION:

Printed Name: N/A
Address: _____

Abutter(s) Information				
4.	Map: 68	Lot: 14	Name: Decker, Karen A Trustee of K A Decker Rev	Address: 57 Shore Drive, Nottingham, NH, 03290
5.	Map: 68	Lot: 38	Name: Decker, Karen A Trustee of K A Decker Rev	Address: 57 Shore Drive, Nottingham, NH, 03290
6.	Map: 68	Lot: 36	Name: Demmons, Linda J	Address: 61 Shore Drive Nottingham, NH, 03290
7.	Map: 68	Lot: 10	Name: Szafran, Caroline J Rev Szafran, Caroline J Trus.	Address: 47 Cherrywood Drive, Dover, NH, 03820
8.	Map:	Lot:	Name:	Address:
9.	Map:	Lot:	Name:	Address:
10.	Map:	Lot:	Name:	Address:
11.	Map:	Lot:	Name:	Address:
12.	Map:	Lot:	Name:	Address:
13.	Map:	Lot:	Name:	Address:

I, _____, the undersigned, certify that to the best of my knowledge, the above is an accurate and complete abutter(s) list and that the information was obtained from the Nottingham Assessing Office no more than five (5) days prior to the date of this application..



Applicant's Signature

Date



50 foot Abutters List Report

Nottingham, NH
September 27, 2021

Subject Property:

Parcel Number: 068-0037-000
CAMA Number: 068-0037-000
Property Address: 59 SHORE DRIVE

Mailing Address: HALE, MITCHELL E HALE, CAROL A
34 LISA BETH CIRCLE
DOVER, NH 03820

Abutters:

Parcel Number: 068-0010-000
CAMA Number: 068-0010-000
Property Address: RAYMOND ROAD

Mailing Address: SZAFRAN, CAROLINE J REV TRUST
SZAFRAN, CAROLINE J, TRUSTEE,
47 CHERRYWOOD DRIVE
DOVER, NH 03820

Parcel Number: 068-0014-000
CAMA Number: 068-0014-000
Property Address: SHORE DRIVE

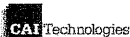
Mailing Address: DECKER, KAREN A TRUSTEE OF K A
DECKER REV TR
57 SHORE DRIVE
NOTTINGHAM, NH 03290

Parcel Number: 068-0036-000
CAMA Number: 068-0036-000
Property Address: 61 SHORE DRIVE

Mailing Address: DEMMONS, LINDA J
61 SHORE DRIVE
NOTTINGHAM, NH 03290

Parcel Number: 068-0038-000
CAMA Number: 068-0038-000
Property Address: 57 SHORE DRIVE

Mailing Address: DECKER, KAREN A TRUSTEE OF K A
DECKER REV TR
57 SHORE DRIVE
NOTTINGHAM, NH 03290



www.cai-tech.com



Town of Nottingham

P.O. Box 114, 139 Stage Road, Nottingham NH 03290 Office 603-679-9597 ext. 1, Fax 603-679-1013
Web: <http://www.nottingham-nh.gov> Email: plan.zone@nottingham-nh.gov

ZONING BOARD OF ADJUSTMENT NOTICE OF DECISION

You are hereby notified that at the **July 20, 2021** meeting the Nottingham Zoning Board of Adjustment the Board **APPROVED** the case below by a vote of **5-aye, 0-nay**.

Case 21-009-VA

Application from Mitch & Carol Hale, represented by Barry Gier, Jones & Beach Engineers, Inc. requesting a Variance from Article 3 Section C (3) of the Nottingham Zoning Ordinance to permit to permit construction of a septic system within 20' of property line. Proposed septic system to be located 6' from north property line. The property is located at 59 Shore Drive in Nottingham, NH and is identified as Tax Map 68 Lots 37.

Minutes of July 21, 2021: "Ms. Bascom made a motion to approve the application from Mitch & Carol Hale with the correction that it is the west line instead of the north. Mr. Bonser seconded. Unanimously approved by a vote of 5-0."

Any appeals to this decision must be made within 30 days of the date of the decision.

Respectfully Submitted,
Land Use Clerk, Town of Nottingham



May 13, 2021

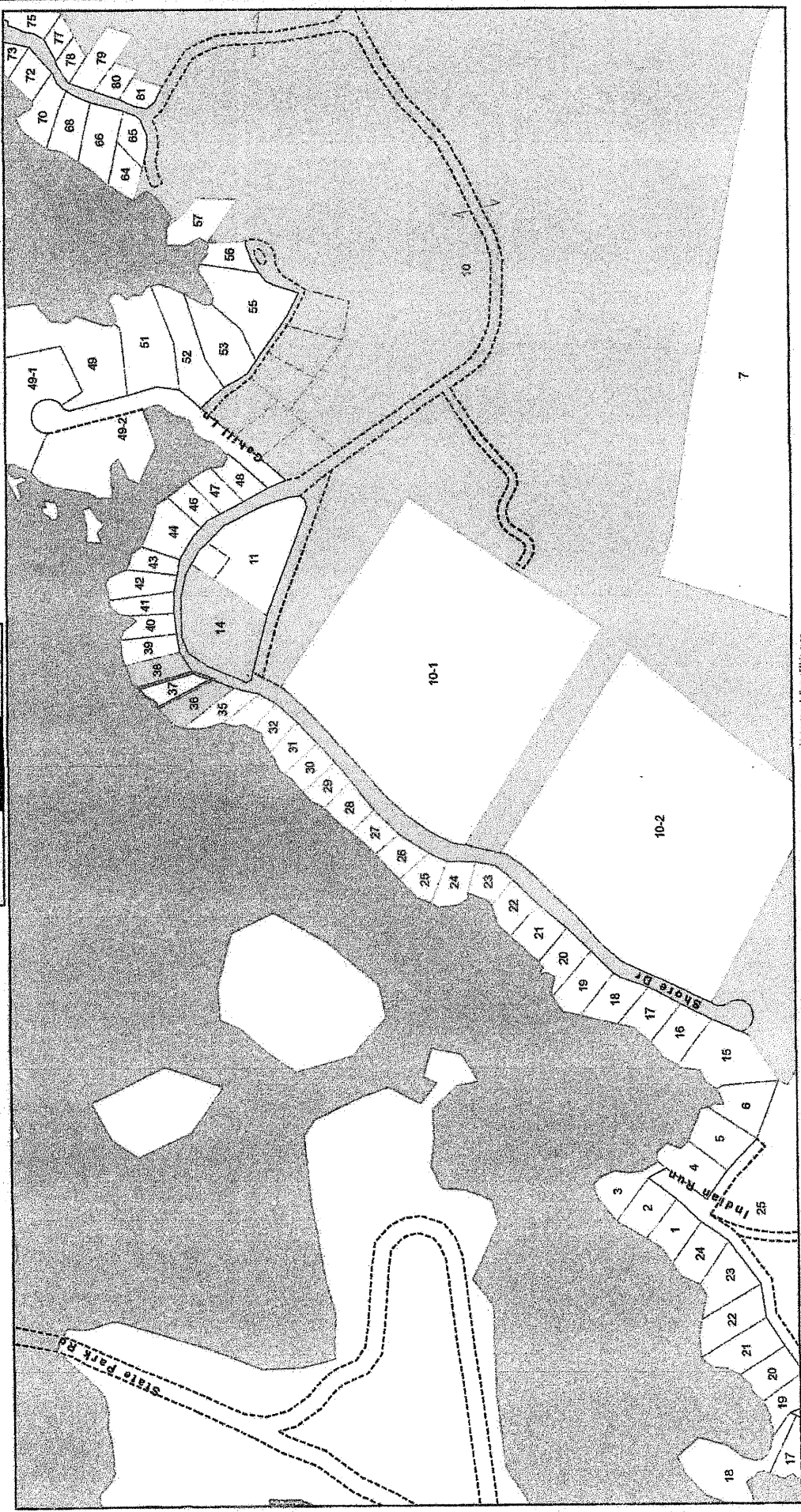
Nottingham, NH

1 inch = 275 Feet



CAI Technologies

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Town of Nottingham
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Office 603-734-4881
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ZONING BOARD OF ADJUSTMENTS FEE SCHEDULE

Fee's collected at time of application:

	TOTAL CHARGE	DATE PAID
APPLICATION FEE \$100.00	\$100	<u>9/22/21</u>
ABUTTER NOTIFICATION <u>3</u> X \$10.00/PER ABUTTER	<u>30</u>	_____
PUBLIC NOTICE FEE \$75.00	\$75	_____
TOTAL	<u>205</u>	<u>9/22/21</u>

Town of Nottingham
P.O. Box 114
Nottingham NH 03290

Code Administration



Office (603) 679-9597 x2
Fax (603) 679-1013
E-mail: dsylvia@nottingham-nh.gov
www.nottingham-nh.gov

Building Permit Application Denial

Date: 9/23/2021
Owner: Mitchell Hale
Address: 59 Shore
Map/Lot 69/37

Applicant has filed for a permit to replace existing structure with expansion on a non-conforming lot.

Denials:

Article II(C)(2)(b): Each lot shall have a minimum contiguous frontage of two hundred (200') feet, including a curb cut for approved access, except to the extent with regard to frontage of back lots approved in accordance with Article IV, Section T.

- Lot has 60 feet frontage where 200 feet is required on a Class V road.

Note:

- Applicant has approved Shoreland permit
- There is an existing house, which would be demo and replaced on the same site with an expansion away from the water. Meets all setbacks

Respectfully submitted,

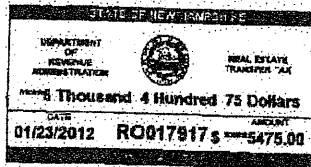
A handwritten signature in black ink, appearing to read "Dale Sylvia", is written over the typed name.

Dale Sylvia
Code Enforcement

Return To:

Mitchell Hale/Dale
34 Lisa Beth Circle
Dover, NH 03820

BK 5281 P6 2487



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That, I, James A. Stewart, Trustee of the James A. Stewart Revocable Trust udt September 4, 1998 and First Amendment dated January 12, 2006, with a mailing address of 5 Nutmeg Lane, Andover, Massachusetts 01810, for consideration paid, grant to Mitchell E. Hale and Carol A. Hale, husband and wife, with a mailing address of 59 Shore Drive, Nottingham, New Hampshire 03290, with WARRANTY COVENANTS, as joint tenants with rights of survivorship, the following described property:

A certain tract of land together with the buildings and improvements thereon, situate in the Nottingham, County of Rockingham, State of New Hampshire, being more particularly described in Exhibit A attached hereto and made a part hereof.

The undersigned Trustee, as Trustee of the James A. Stewart Revocable Trust udt September 4, 1998 and First Amendment dated January 12, 2006, and pursuant thereto, have full and absolute power in said Trust Agreement to execute, sign and deliver any deed for any real estate or other property held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustee has said power or are properly exercising said power or to see to the application of any trust asset paid to the Trustee for the sale thereof.

Meaning and intending to describe and convey the same premises conveyed to the within grantor by Joan B. Lukens, Trustee of the Joan B. Lukens Revocable Trust Of 2006 dated October 12, 2006 and recorded in the Rockingham County Registry of Deeds, Book 4720, Page 0091.

This is not homestead property of James A. Stewart.

Executed this 19th day of January, 2012.

James A. Stewart, TR
James A. Stewart, Trustee
The James A Stewart Revocable Trust
udt September 4, 1998

003459

2012 JAN 23 PM 2:18

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Letter of Authorization

I, Mitch Hale, 34 Lisa Beth Circle, Dover, NH 03820, owner of property located in Nottingham, NH, known as Tax Map 68, Lot 37, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on 59 Shore Drive in Nottingham, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

Carl Hale

Witness

Mitch Hale

Mitch Hale

5/7/19

Date

JONES & BEACH
ENGINEERS INC.

EXHIBIT A

A certain tract of land together with the buildings and any improvements thereon, situate in Nottingham, County of Rockingham, and State of New Hampshire, and known as Lot No. 12 in Cahill Realty, Lake Pawtuckaway, Nottingham, New Hampshire, a revised Plan of which is filed for record in the Rockingham County Registry of Deeds, under date of August 5, 1958, more particularly bounded and described as follows:

Beginning at an iron pipe on the Easterly corner thereof at Shore Drive of Lot No. 11, thence running in a Westerly direction by said Shore Drive sixty (60) feet to an iron pipe at the corner of Lot No. 13; thence turning and running at a right angle and running in a Northeasterly direction one hundred eighty-three (183) feet by said Lot No. 13 to a wood hub at high water mark on the shore of Lake Pawtuckaway; thence turning and running in an Easterly direction along the shore of Lake Pawtuckaway one hundred (100) feet to a wood hub at the corner of Lot No. 11; thence turning at a right angle and running Southwesterly by said Lot No. 11 one hundred eighty-two (182) feet to Shore Drive and the point begun at .

Together with a right to pass and repass overland reserved on said Plan for a right of way to the beaches on Lake Pawtuckaway and a right of way over the driveways and usual traveled paths as shown on said Plan.

Said Premises are conveyed subject to the restrictions applicable for Cahill Realty filed in the Rockingham County Registry of Deeds at Book 1466, Page 96.

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

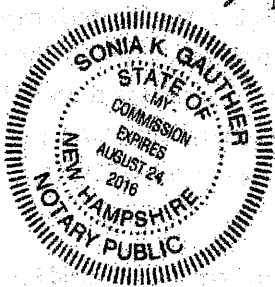
January 19, 2012

Personally appeared the above, James A. Stewart, Trustee of the James A. Stewart Revocable Trust udt September 4, 1998 and First Amendment dated January 12, 2006, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

Before Me, 

Notary Public/Justice of the Peace

My Commission expires:





TOWN OF NOTTINGHAM

139 Stage Road
P.O. Box 114
Nottingham, NH 03290
SEPTIC PERMIT

Permit Number: 2021000320 Date: 08/05/2021
Map: 000068 Lot: 000037 Sub Lot: 000000

Permit issued to: HALE, MITCHELL E
at: 59 SHORE DRIVE

Permission to: PRE-APPROAL FOR SEPTIC

Owner Address: 34 LISA BETH CIRCLE DOVER, NH 03820 Phone:

Permit Fee: \$75.00 Estimated Cost: \$0

BED BOTTOM INSPECTION WILL BE CONDUCTED BY THE TOWN OF NOTTINGHAM

Signed: _____

CODE ADMINISTRATOR

Telephone: 603-679-9597 EXT 2

NOTE: THIS PERMIT EXPIRES AUGUST 05, 2022.



TOWN OF NOTTINGHAM
PROJECT INDIVIDUAL ITEM RECEIPT

Project Owner: HALE, MITCHELL E

Project Type: NEW HOME

Location: 59 SHORE DRIVE

PID: 000068 000037 000000

<u>Item #</u>	<u>Date</u>	<u>Project Item</u>	<u>Number</u>	<u>Invoice Amount</u>	<u>Due Amount</u>
2021.4057	08/05/2021	SEPTIC PERMIT	2021000320	\$ 75.00	\$ 0.00
	PAID: 08/05/2021	Received By: Dale Paid By: HALE, MITCHELL E -- CHECK 4329			
				\$ 75.00	\$ 0.00

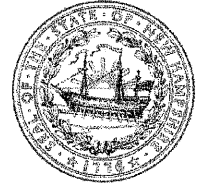
Signature: _____

Date: _____



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



SHORELAND IMPACT PERMIT 2021-00995

NOTE CONDITIONS

PERMITTEE: MITCHELL E HALE
34 LISA BETH CIRCLE
DOVER NH 03820

PROJECT LOCATION 59 SHORE DR, NOTTINGHAM
TAX MAP #68, LOT #37

WATERBODY: PAWTUCKAWAY LAKE

APPROVAL DATE: MAY 03, 2021 **EXPIRATION DATE:** MAY 03, 2026

Shoreland Permit Application 2021-00995 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

PERMIT DESCRIPTION:

Impact 5,200 square feet of protected shoreland in order to reconstruct the existing, expand six feet landward, and replace the septic system further from the lake.

Impervious Surface Percentage Approved: 28.6%

THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated March 19, 2021 and received by the NH Department of Environmental Services (NHDES) on April 6, 2021 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
3. The proposed rain garden shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).
4. Photographs documenting the construction of the proposed rain garden shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
5. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. If NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

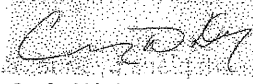
TDD Access: Relay NH 1 (800) 735-2964

2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, the NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

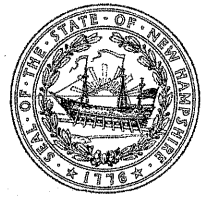
APPROVED:



Craig W. Day
Shoreland Specialist, Shoreland Program
Wetlands Bureau, Land Resources Management
Water Division



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

APPROVAL FOR CONSTRUCTION OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS)

AS AUTHORIZED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES, WATER DIVISION PURSUANT TO RSA 485-A, WATER POLLUTION AND WASTE DISPOSAL AND ENV-WQ 1000, SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES.

APPLICATION APPROVAL DATE: 8/16/2021

APPROVAL NUMBER: eCA2021081617

I. PROPERTY INFORMATION

Address: 59 SHORE DRIVE
NOTTINGHAM NH 03290
Subdivision Approval No.: PRE-1967
Subdivision Name:
County: ROCKINGHAM
Tax Map/Lot No.: 68/37

II. OWNER INFORMATION

Name: MITCHELL HALE
Address: 34 LISA BETH CIRCLE
DOVER NH 03820

III. APPLICANT INFORMATION

Name: JONES & BEACH ENGINEERS INC
Address: JONES & BEACH ENGINEERS INC
PO BOX 219
STRATHAM NH 03885

IV. DESIGNER INFORMATION

Name: WAYNE G MORRILL
Address: 203 JOHN TASKER RD
BARNSTEAD NH 03218
Permit No.: 01358

V. SPECIFIC TERMS AND CONDITIONS: Applicable to this Approval for Construction

- A. TYPE OF SYSTEM: ADVANCED ENVIRO-SEPTIC**
- B. NO. OF BEDROOMS: 3**
- C. APPROVED FLOW: 450 GPD**
- D. OTHER CONDITIONS AND WAIVERS:**

1. This approval is valid for 4 years from date of approval, per Env-Wq 1004.13.
2. All activity shall be in accordance with RSA 483-B, the Shoreland Water Quality Protection Act.
3. The following waivers have been approved:
 - A. Rule: Env-Wq 1008 Section: 04 Minimum Distances
 - B. Rule: Env-Wq 1008 Section: 04 Minimum Distances
 - C. Rule: Env-Wq 1008 Section: 04 Minimum Distances

Taylor L. Walter
Subsurface Systems Bureau

VI. GENERAL TERMS AND CONDITIONS: Applicable to all Approvals for Construction

- A. This Approval for Construction is issued to construct the ISDS as identified on Page 1 of this Approval.
- B. This Approval is valid until 8/16/2025, unless an Approval for Operation has been granted.
- C. By exercising any rights under this approval, the parties have agreed to all terms and conditions.
- D. No liability is incurred by the State of New Hampshire by reason of any approval of any Approval for Construction. Approval by the Department of Environmental Services of sewage and waste disposal systems is based on plans and specifications supplied by the Applicant.
- E. The system must be constructed in strict accordance with the approved plans and specifications.
- F. The installed system must be left uncovered and cannot be used after construction until it is inspected and has received an Approval for Operation of Individual Sewage Disposal System (ISDS) by an authorized agent of the Department.
- G. This system must be installed by an installer holding a valid permit. An owner may install the system for his/primary domicile.
- H. This Approval for Construction does not supersede any equivalent or more stringent local ordinances or regulations. State standards are minimal and must be met statewide.

WORK NUMBER: 202101581
APPROVAL NUMBER: eCA2021081617
RECEIVED DATE: August 13, 2021
TYPE OF SYSTEM: ADVANCED ENVIRO-SEPTIC